

III. REMARKS

1. Claims 1, 6 and 11 are amended. Claims 1-16 are pending in this Application.
2. The Figures 1 and 4b are amended to overcome the objections. Replacement drawing sheets are appended to this response.
3. Claims 5 and 6 are amended to overcome the objections.
4. Claims 1-16 are patentable under 35 U.S.C. 103(a) over Jokinen et al., U.S. Pub. No. 2003/0201983 ("Jokinen") in view of Mockridge et al., U.S. Patent 6,876,543 ("Mockridge"). Claim 1 recites the keymat comprises a plurality of lips located at and extending outward from edges of the keymat toward a rim of the cover, and the cover comprises a plurality of indentations configured to receive the plurality of lips. The indentations are located at edges of a recess for removably mounting the keymat. Neither Jokinen nor Mockridge, individually or in combination, disclose or suggest these features.

Jokinen discloses a keymat having keys (312) where each key has a key pin (315) (paragraph [0032]). The key pins extend downwardly from the keymat and form a circumferential lip (314) for engaging the interior surface (321) of front cover (320) proximate to opening (341) (paragraph [0035]; Fig. 3c). The opening (341) is a hole (241) in an interior portion of the front cover to which the key pins are inserted (paragraph [0031]). Jokinen also discloses that the keypad is held on the phone through recesses in the keymat for receiving the key pins (paragraph [0036]) or by a slide plate (521) that fits into recesses in the key pins (paragraph [0045]).

The Examiner notes that "Jokinen et al. does not disclose the indentations are located at edges of a recess for removal of mounting the keymat."

Furthermore, nowhere does Jokinen disclose or suggest a plurality of lips located at and extending outward from edges of the keymat toward a rim of the cover as called for in claim 1. The keymat of Jokinen is held in place by recesses in the key pins (315). These key pins (315) are inserted into holes (341, 241) located in the front cover of the phone where a circumferential lip (314) on the key pin (315) engages the interior surface (321) of front cover (320) proximate to opening (341, 241) (paragraph [0035]; Fig. 3c). This circumferential lip (314) does not extend into a recess of the cover or toward a rim of the cover but instead snaps into and engages the underside of the hole (314) as shown in Figure 3c. Also, these key pins and the circumferential lip are located on an interior portion of the keymat as clearly shown in Figures 3a and 5c. The edges of the keymat in Jokinen do not have any lips that hold the edges of the keymat to the cover (320). Rather, the edges of the keymat in Jokinen freely sit against the surface of the cover (320) (Figs. 3b, 4e and 5d). Therefore, the edges of the keymat in Jokinen cannot have lips that are received by indentations in the cover (320). Furthermore, there is no rim on the cover for the lip on the keymat of Jokinen to extend toward as the surface of the cover is smooth and flat (Figs. 3b, 4c and 4e). This is not what is claimed by Applicant. Claim 1 recites the keymat comprises a plurality of lips located at and extending outward from edges of the keymat toward a rim of the cover. Thus, claim 1 is patentable over Jokinen.

Mockridge discloses a mobile telephone (10) that includes an endoskeleton (16), a front housing (12) and a rear housing (14) (col. 2, l. 64-66). The front and rear housing (12, 14) form a cavity for containing the endoskeleton (16) and are made from a durable rigid polymer (col. 3, l. 14-20). The endoskeleton (16) is attached to the inside of the front housing (12) so the keypad (not shown) can be positioned and secured before the rear housing is attached (col. 3, l. 29-38).

Nowhere does Mockridge disclose or suggest that the keymat is removable nonetheless that the keymat comprises a plurality of lips located at and extending outward from edges of the keymat toward a rim of the cover. In Mockridge, the only mention of a keypad is in the context of positioning the keypad during assembly of the telephone (10) (Col. 3, L. 29-38). There is simply no disclosure of the keypad of Mockridge having a plurality of lips located at and extending outward from edges of the keymat toward a rim of the cover.

Moreover, the keypad of Mockridge is located on the endoskeleton (16) (Col. 3, L. 21-28). During assembly, the endoskeleton (16) is placed or attached to the inside of the front housing (12) so the keypad can be positioned before the rear housing (14) is attached. Once the front and rear housings (12, 14) of Mockridge are attached, they are not removable (i.e. the keypad cannot be removed) as all ribs and their corresponding recesses are located on the inside of the front housing (see Figs. 10 and 11) when assembled and are not easily accessible without prying apart the housings (12, 14). Prying apart the front and rear housings would deform either or both of the housings because the front and rear housings (12, 14) are made of a rigid polymer. Therefore,

the keypad of Mockridge is not removable as called for in claim 1.

In addition, Mockridge does not disclose or suggest the cover comprises a plurality of indentations configured to receive the plurality of lips (from the keymat). Nor does Mockridge disclose or suggest that the indentations are located at edges of a recess for removably mounting the keymat. As described above, the keypad of Mockridge is not removable and the keypad of Mockridge is located on the endoskeleton (16). The endoskeleton (16) is enclosed between the front and rear housing (12, 14). There is no disclosure or suggestion of either the front or rear housing (12, 14) of Mockridge having a plurality of indentations configured to receive the plurality of lips located at edges of a recess for removably mounting the keymat. Therefore, claim 1 is patentable over Mockridge.

Because Jokinen and Mockridge individually fail to disclose or suggest the features of claim 1 their combination cannot as well.

Also, there is no motivation to combine Jokinen with Mockridge to achieve Applicant's invention, as is required for obviousness under 35 U.S.C. 103(a). In order to establish a *prima facie* case of obviousness under 35 U.S.C. 103(a), there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or combine reference teachings. There must also be a reasonable expectation of success, and the references, when combined, must teach or suggest all of the claim limitations. (See MPEP § 2142). As described above, neither Jokinen nor Mockridge, individually or in combination, disclose or suggest each feature of Applicant's invention as claimed.

The Examiner admittedly notes that "Jokinen et al. does not disclose the indentations are located at edges of a recess for removal of mounting the keymat." In addition, Jokinen does not disclose or suggest the keymat comprises a plurality of lips located at and extending outward from edges of the keymat toward a rim of the cover. The keymat of Jokinen is held in place by recesses in the key pins (315). These key pins (315) are inserted into holes (341, 241) located in the front cover of the phone where a circumferential lip (314) on the key pin (315) engages the interior surface (321) of front cover (320) proximate to opening (341, 241) (paragraph [0035]; Fig. 3c). These key pins and the circumferential lip are located on an interior portion of the keymat as clearly shown in Figures 3a and 5c and fit through the holes (341, 241) and snap against the interior surface of the housing. Also, the edges of the keymat in Jokinen freely sit against the surface of the cover (320) (Figs. 3b, 4e and 5d). Therefore, the edges of the keymat in Jokinen cannot have lips that are received by indentations in the cover (320). In addition, the cover of Jokinen does not have a rim as called for in claim 1. The surface of the cover where the keymat sits is smooth and flat (Figs. 3b, 4c and 4e). This is not what is claimed by Applicant.

Mockridge teaches the assembly of a front and rear housing (12, 14) of a mobile phone (10). The front housing (12) is secured to the rear housing (14) through ribs and recesses located around the perimeters (sides) of the covers. An endoskeleton (16) is located inside the front and rear housing. The only mention of a keypad in Mockridge is in the context of positioning the keypad, which is fixed to the endoskeleton (16), during assembly of the telephone (10) (Col. 3, L. 29-38). There is simply no disclosure of the keypad of Mockridge having a plurality of lips located at

and extending outward from edges of the keymat toward a rim of the cover. Furthermore, Mockridge does not disclose or suggest the cover comprises a plurality of indentations configured to receive the plurality of lips (from the keymat). There is simply no disclosure or suggestion of either the front or rear housing (12, 14) of Mockridge having a plurality of indentations configured to receive the plurality of lips located at and extending outward from edges of the keymat toward a rim of the cover.

Furthermore, if Jokinen and Mockridge were combined, the result would be a removable keymat in a form similar to the front mobile phone housing of Mockridge that is made of a durable rigid polymer and fastened to the mobile phone by clinging to the sides of the mobile phone. Alternatively, if the removable keymat were located within the housing, it would require more material and a two piece housing (one piece for covering the internal components of the phone and another for containing the keymat) thereby increasing the manufacturing and assembly costs of the phone. As the keymat of the combination of Jokinen and Mockridge clings to the sides of the phone, it requires more material than the Applicant's keymat. Also, because the keymat of the Jokinen and Mockridge combination attached on the sides of the phone, the keymat retaining forces are directed inwards toward the phone requiring the keypad to be made of a rigid material. This contradicts the elasticity requirements for keymats in that the keymat cannot be rigid or a user would not be able to depress the keys. This is not what is claimed in Applicant's claim 1. Claim 1 recites the keymat comprises a plurality of lips located at and extending outward from edges of the keymat toward a rim of the cover, and the cover comprises a plurality of indentations configured to receive the plurality of lips, wherein the

indentations are located at edges of a recess for removably mounting the keymat.

Therefore, neither reference provides the requisite suggestion or motivation to modify the references as proposed by the Examiner nor do they teach or suggest all claim limitations when combined. The Examiner's proposition that Applicant's invention would be obvious as recited in the claims is not supported by the factual contents of Jokinen and Mockridge as evidence by the above arguments.

When "the PTO asserts that there is an explicit or implicit teaching or suggestion in the prior art, it must indicate where such a teaching or suggestion appears in the reference". In re Rijckaert, 288 USPQ2d 1955, 1957 (Fed. Cir. 1993). The Examiner is requested to provide an indication as to where any such teaching, suggestion or motivation appears in the reference. Absent such a teaching, it is submitted that the *prima facie* case of obviousness over Jokinen and Mockridge under 35 U.S.C. 103(a) is not established.

The Applicant also submits that Jokinen and Mockridge were improperly combined. The references may be combined under 35 U.S.C. 103(a) only if the references are analogous art. In this case Mockridge is not analogous art. A reference is analogous art if:

- 1) The reference is in the same field of endeavor as the applicant's, or
- 2) The reference is reasonably pertinent to the particular problem with which the applicant was concerned.

Mockridge is not in the same field as the Applicant's invention. Mockridge is directed to a method for assembling the front and rear halves of a mobile telephone (Col. 1, L. 5-34) and not the securing of a keymat to the cover of a telephone. Furthermore, Mockridge is not reasonably pertinent to the particular problem with which the Applicant is concerned (i.e. securing the keymat to the cover of a phone). The only mention of a keypad in Mockridge is noted during the description of the assembly of the front and rear housings (12, 14) of the telephone (10). There is absolutely no disclosure or suggestion whatsoever of how the keypad is held on the endoskeleton (16) or whether the keypad is removable. The only thing Mockridge discloses is a method of assembling the front and rear housings (12, 14). Thus, Mockridge does not address the problems addressed by Applicant's invention. Since Mockridge is not in the same field of endeavor as the Applicant's endeavor and is not reasonably pertinent to the particular problem with which Applicants were concerned, Mockridge is not analogous art. Therefore, Mockridge may not properly be combined with Jokinen.

Claim 6 recites a cover for a communication device comprising a recess for receiving a keymat comprising a plurality of lips extending outward from edges of the keymat, the cover further comprising a plurality of indentations located at the edges of the recess for receiving the plurality of lips. As described above, neither Jokinen nor Mockridge, individually or in combination, disclose or suggest a cover having a recess for receiving a keymat comprising a plurality of lips extending outward from edges of the keymat or that the cover has a

plurality of indentations located at the edges of the recess for receiving the plurality of lips.

The Examiner notes that "Jokinen et al. does not disclose the indentations are located at edges of a recess for removal of mounting the keymat."

In addition, Mockridge does not disclose or suggest a cover for a communication device comprising a recess for receiving a keymat comprising a plurality of lips extending outward from edges of the keymat, the cover further comprising a plurality of indentations located at the edges of the recess for receiving the plurality of lips. The keypad of Mockridge is located on and attached to the endoskeleton (16) and not the cover. The endoskeleton (16) is enclosed between the front and rear housing (12, 14). The front and rear housings (12, 14) are held together by a cantilever arm (62) on the front housing (12) and a loop (64) on the rear housing (14) (Col. 4, L. 18-30). There is no disclosure or suggestion of either the front or rear housing (12, 14) of Mockridge having a recess for receiving a keymat comprising a plurality of lips extending outward from edges of the keymat, the cover further comprising a plurality of indentations located at the edges of the recess for receiving the plurality of lips. Therefore, claim 6 is patentable over Mockridge.

Because Jokinen and Mockridge fail to disclose the features of claim 6 for these reasons as well as for reasons similar to those described above with respect to claim 1, their combination cannot as well.

Claim 11 recites a keymat for removable mounting on a cover of a communication device, comprising lips located at and extending from edges of the keymat configured to extend outward toward a rim of the cover and insert into indentations of the cover. Neither Jokinen nor Mockridge, individually or in combination, disclose or suggest the features of Applicant's claim 11 for reasons similar to those described above.

Nowhere does Jokinen disclose or suggest lips located at and extending from edges of the keymat configured to extend outward toward a rim of the cover and insert into indentations of the cover as called for in claim 11. The keymat of Jokinen is held in place by recesses in or circumferential lips on the key pins (315). These key pins (315) are inserted into holes (341, 241) located in an interior portion of the front cover of the phone where the circumferential lip (314) on the key pin (315) snaps against the interior surface (321) of front cover (320) proximate to opening (341, 341) (paragraph [0035]; Fig. 3c). These key pins and the circumferential lip are located on an interior portion of the keymat as clearly shown in Figures 3a and 5c. This circumferential lip (314) does not extend from the edges of the keymat but rather from the key pins (315) located on an interior portion of the keymat. The edges of the keymat in Jokinen do not have any lips that hold the edges of the keymat to the cover (320). Rather, the edges of the keymat in Jokinen freely sit against the surface of the cover (320) (Figs. 3b, 4e and 5d). Also, the cover of Jokinen is smooth and flat and does not have any rim for lips on the keymat to extend toward (Figs. 2, 3b and 4e). Therefore, the edges of the keymat in Jokinen cannot have lips located at and extending from edges of the keymat configured to extend outward toward a rim of the cover and

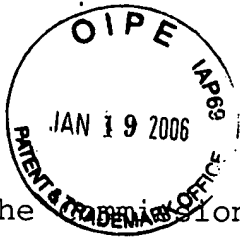
insert into indentations of the cover. Thus, claim 11 is patentable over Jokinen.

Mockridge also does not disclose the keymat as claimed in claim 11. In Mockridge the only mention of a keypad is in the context of positioning the keypad during assembly of the telephone (10) (Col. 3, L. 29-38). The keypad of Mockridge is located on and attached to the endoskeleton (16) and not the cover. The endoskeleton (16) is enclosed between the front and rear housing (12, 14). The front and rear housings (12, 14) are held together by a cantilever arm (62) on the front housing (12) and a loop (64) on the rear housing (14) (Col. 4, L. 18-30). Thus, claim 11 is patentable over Mockridge.

Therefore, claim 11 is patentable over the combination of Jokinen and Mockridge for these reasons as well as for reasons similar to those described above with respect to claim 1.

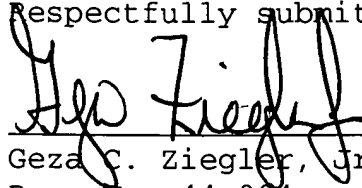
Claims 2-5, 7-10 and 12-16 are patentable over the combination of Jokinen and Mockridge by reason of their respective dependencies.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.



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Respectfully submitted,


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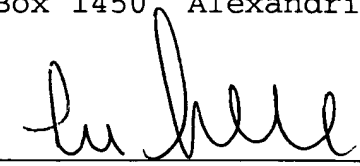
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